A CHANGING WORLD FOR INTERNATIONAL ORGANIZATIONS*

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The world is changing everyday, and major political and economic changes have occurred since the end of World War II. These changes have affected the world’s structures of power, involving the need for sovereign states to share various degrees of authority, competence and functions with multiple global and regional actors and international conventions. These changes have, in turn, created a new, challenging, environment for intergovernmental organizations, created and governed by governments, but now exposed to the power or influence of many non-state actors.

The article first focuses on intergovernmental global and regional organizations and the role of governments. The important role of international secretariats is underlined. The second part deals with the influence and interventions of civil society and non-governmental organizations, faith-based organizations, philanthropies, and then with the power of multinational corporations.

A changing world

Following World War II, in 1945, two major powers, the USA and the USSR, emerged as the leading states among the five permanent members of the United Nations. France and the United Kingdom, former primary actors, were relegated to the status of middle powers, while China had not yet assumed a world role. In the 1960s, an irresistible decolonization movement gave rise to the Third World, a large group of new sovereign “developing” states who claimed their difference from or their opposition to the Western world.

With the end of the Cold War, the USA became the only “super-power”, with overpowering military, political, economic and cultural means. However, its status has been challenged by the economic rise of Japan, Germany, the Asian tigers, and, more recently, the BRICS - Brazil, Russia, India, China and South Africa. The spectacular political, military and economic rise of China has created a potential duopole between the USA and China, although the USA remains as the major power in all areas.

Economic globalization has been associated with the new information technology tools, the advent of immediate communications available worldwide.

In spite of the creation of the United Nations in 1945, whose original purpose was to maintain peace and security, the world is not at peace. Genocides were not prevented nor stopped in Cambodia (1975-1978) and in Rwanda (April to July 1994). Grave violations of international humanitarian law were committed in the Former Yugoslavia (1991-1995), massacres and rapes continue in the Republic of Congo, among others in other parts of the world. The Palestine conflict shows no sign of any forthcoming equitable solution, while nuclear proliferation threats emanate from North Korea and Iran. There is no expectation of conventional or nuclear disarmament.

Democracy has been restored in the former Soviet satellite countries, and in several Latin American countries. However, corrupt “dictators-for-life” stick to power in many countries, divesting their own peoples from development by enriching themselves.

The sequels of the great financial crisis of 2008 have impacted particularly European countries and the eurozone. “South” European states are suffering from deflation and a new poverty. The hopes and expectations of creating a quasi-federal Europe, which has stopped war between European countries and created a vast zone of free exchange, seem to fade away.

“Arab Springs” disposing of a few despots also opened the door to Islamic claims of ruling all aspects of people’s lives, a threat to Christian and other minorities and to sex

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equality. The resulting unrest has chased tourists away. The Syrian conflict endures, splitting the Security Council between China and Russia supporting the status quo, and Western countries.

**Intergovernmental organizations**

The term of “international organization” traditionally meant “intergovernmental organizations” (IGOs) such as the United Nations system of organizations, the European Union, the Council of Europe, the Organization of American States, and others. Classical legal theory limited to states only the quality of subject of international law. The object of international law was limited to regulate relationships between states.

Global changes have shown that national states are no longer the sole subjects of international law. States’ sovereignty has been eroded by states’ own decisions to accept the obligations of international conventions and to join IGOs, as well as, unwillingly, through the rising influence of civil society, non-governmental organizations (NGOs) and the power of the private for-profit sector.

States still remain major actors on the international scene, internally as sovereign over their own citizens, and externally as sovereign states on the international stage. They are the masters of IGOs: they create and finance IGOs, authorize and control their programmes, and they may leave them or terminate them.

**Growth of IGOs and expansion of their mandates**

Since the end of World War II, there has been a spectacular rise in the creation, growth and influence of IGOs at the global and regional levels, in all political, military, economic, social, judiciary and cultural areas.

**The global IGOs**

At the global level, the United Nations system of organizations has replaced the defunct League of Nations. UN bodies include the UN secretariat, UN Funds and Programmes,2 the regional Economic Commissions, the specialized agencies,3 and the financial institutions.4 The World Trade Organization (WTO) which took over from GATT (the General Agreement on Tariffs and Trade) is an autonomous institution, not part of the UN system. The International Court of Justice is a principal organ of the UN, the International Criminal Tribunals for the Former Yugoslavia and for Rwanda were created by the UN Security Council. The International Criminal Court is a treaty-based body, autonomous but related to the UN.

While the major motivation for the creation of the UN was the maintenance of peace and security, “to save succeeding generations from the scourge of war, which twice in our life-time has brought untold sorrow to mankind”,5 the mandates of UN and other global organizations encompass all areas of internal and international relevance: disarmament, peacekeeping, economic development, agriculture and food, the environment, human rights, public health, civil aviation, maritime cooperation, telecommunications, postal services, intellectual property, meteorology, tourism, finances, and international justice.

Most global organizations have been created in the aftermath of World War II.6 The creation and widespread range of the UN specialized agencies was in line with David Mitrany’s “functionalist” theory: increasing interaction of economic and social cooperation is to build a base of common values and practices that is to spill over into the political arena. However, what was effective within the relatively restricted homogeneous European region could not apply easily in the vast heterogenous and diverse world. For instance, the World Health Organization does useful work in the public health area, but this does not automatically extend to or influence world peace and security.

**The roles of UN organizations**

UN organizations have an advisory non-binding role of issuing recommendations, such as the resolutions or declarations adopted by the UN General Assembly or other UN bodies. Most UN bodies have an important normative (standard-setting) role: they prepare and adopt international conventions in the fields of their competence: human rights, war crimes and crimes against humanity, genocide, the status of refugees, the rights of women and of the child, labour and employment policies, and health regulations. A few organizations have an operational or field role and presence: the UN peace-keeping operations, the UNHCR, UNICEF and the World Food Programme. All global organizations are entrusted with the coordination of programmes among their member states, and between organizations. The International Court of Justice and international criminal courts have a judicial role. UN organizations do not generally have decision-making power vs. governments: governments’ approval is required before any international resolution or convention is applicable to them.

An exception is the power given to the Security Council “to take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security” (Art. 42 of the UN Charter). This requires the affirmative vote of nine members and the concurring votes of the five permanent members.

Another exception is the authority given to the World Health Assembly to adopt regulations in specific public health areas: these are applicable to member states, except for those who may have notified the Director-General of
rejection or reservations (Art. 21 and 22 of the WHO Constitution).

In other words, the UN system of organizations is not a World Government. The implementation of the organizations is still dependent on governments’ willingness to cooperate, based on their own national interest.

**Unequal member states**

While each member of the UN General Assembly and of the specialized agencies, with the exception of the financial institutions, has one vote and thus is considered as equal to all other members, one formal exception is the veto power of the permanent members of the Security Council which sets them above the non-permanent members.

Inequality is also demonstrated by the budget contributions of the rich countries to the organizations, which provide more than half of those budgets. These countries have a de facto influence based on their military, political and economic power. The USA has often blackmailed UN organizations by withdrawing part of their contributions, or threatening to do so.

**Groups of countries in the United Nations**

In the United Nations, countries are formally part of five groups: Africa (54 members), Asia (53), Latin America and the Caribbean (33), Western Europe and Others (29) and Eastern Europe (23): the latter is an obsolete vestige of the Cold War. Separate groupings include developing countries of the “South” attempting to counter the power of Western countries: the 150 countries of the Non-Aligned Movement, representing nearly two-thirds of the UN membership and 55% of the world population. The Group of 77, now comprising 132 states, aims at supporting a joint negotiating capacity in UN bodies. The BRICS – Brazil, Russia, India, China and South Africa – claim a larger role on the international scene but lack common interests and objectives.

The Human Development Report for 2013 of the United Nations Development Programme predicts that at the end of the current decade, the economic output of Brazil, China and India will exceed that of the USA, Germany, Britain, Canada, France and Italy combined.

**Regional organizations**

Western European countries are unique in having created after World War II regional organizations dedicated to peace, democracy and human rights, as a blueprint for a close, peaceful, political and economic union of European states. The present European Union started in 1957 as the European Economic Community. It is now an economic and political union of 28 member states. It created the euro in 1999, a European currency, shared by 17 states (with serious current problems). Its avowed aim, resisted by some of its member states, but promoted by others, is to move towards a confederation or a federation, a long-term target.

The Council of Europe, founded in 1949, has 47 member countries. It seeks to develop throughout Europe common democratic principles based on the European Convention on Human Rights. The European Court of Human Rights controls and sanctions the adherence of member states to the Convention.

Less ambitious organizations were created in other regions. The oldest one is the Organization of American States (OAS) created in 1948 and based in Washington DC (35 states). This was preceded only by the International Union of American Republics founded in 1890, and the League of Arab States (21 states), based in Cairo, created in 1945. Others include the Association of South Eastern Nations (ASEAN – 10 states), created in 1967 and based in Jakarta; the Organization of Islamic Cooperation (OIC – 56 states), based in Jeddah and created in 1969; the African Union based in Addis-Ababa and created in 1999 (54 states); and the Union of South American Nations (UNASUR – 12 states) created in 2008 and based in Quito. These organizations are at various stages of interstate coordination.

**Transnational organizations**

A few other organizations are not focused on one specific region but group states of several regions. Among them, the Paris based Organization for Economic Cooperation and Development (OECD), created in 1960, grouping 18 industrialized and emerging countries. It currently plays a major role in fighting financial corruption, along with two post-colonial groups, the Commonwealth of Nations, which succeeded the British Commonwealth, created in 1949 (54 states), and the “Organisation internationale de la francophonie”, created in 1986 (77 states) based in Paris.

The North Atlantic Treaty Organization, a military organization of 28 Western states, was set up in 1949 to counter the Soviet Union threats over Western Europe.

**International secretariats**

While the deciders are the governments, international organizations cannot function without their staff: under the authority of the Secretary-General or Director-General, the secretariats composed of international civil servants prepare programmes and budgets and implement them, after approval by the governing bodies. The UN Secretary-General, the Directors-General of specialized agencies and the heads of UN Funds, Programmes and Agencies play a key role in the implementation of the organizations’ mandates.

While each member of the UN General Assembly and of the specialized agencies, with the exception of the financial institutions, has one vote and thus is considered as equal to all other members, one formal exception is the veto power of the permanent members of the Security Council which sets them above the non-permanent members.
role in managing and leading the organizations, mainly on internal management issues, but also in policy matters. While the UN Secretary-General has a limited scope for taking public political stands or initiatives in view of the power and influence of the permanent members of the Security Council, and because of the geographical position of the UN headquarters in New York, heads of other UN agencies or organizations have more opportunities for independent policy initiatives. For instance, Dr Halfdan Mahler, the former WHO Director-General, launched the “Health for All” initiative in 1975, a revolutionary concept, together with UNICEF.

As a key requirement for their employment, international civil servants sign an oath of independence from governments. Under article 100 of the UN Charter: “1. In the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization.

In turn, UN member states should “respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities”. Similar wording is found in the constitutions of staff regulations of all intergovernmental organizations.

However governments, and particularly those who pay the largest budget contributions to the organizations, often exert their influence over the appointment and career of their nationals in international secretariats, in violation of their obligations. Rich countries also apply financial pressures on the organizations by limiting or decreasing their budgets, forcing programme restrictions and staff cuts.

Nationals from a few countries may be tempted to call on their governments to be recruited to international organizations or to obtain promotions. A few governments offer “hidden” salary complements to their nationals, when international salaries are deemed inadequate to attract candidates with high qualifications.

**Civil society and non-governmental organizations (NGOs)**

The interest in and influence of “civil society” has risen in recent years. The World Bank defines the term as “the wide array of non-governmental and not-for-profit organizations that have a presence in public life, expressing the interests and values of their members or others, based on ethical, cultural, political, scientific, religious or philanthropic considerations”.

Civil Society Organizations (CSOs) include community groups, non-governmental organizations (NGOs), labor unions, indigenous groups, charitable organizations, faith-based organizations (more later), professional associations, and foundations.

These organizations seek an international status in order to be admitted to IGOs debating bodies and influence their programmes and decisions.

This section focuses on non-profit-making NGOs, then on faith-based organizations, a specific type of NGO, and, later, on philanthropies.

**The role and limits of NGOs**

International NGOs play an important role in contributing to IGOs’ programmes, NGOs make field inquiries, studies on national/international situations, collect data, prepare and publicize reports. They use the media to convey their views, start campaigns, collect funds, act as pressure groups on governments and IGOs, participate in public/private partnerships. They act as countepowers to big business, and to governments, fighting the influence of international business in these organizations, and supporting Third World claims. NGO campaigns influence national and international public opinion and policies, relayed by traditional medias, internet and social medias.

NGOs play an important role in development, trade, public health, human rights and humanitarian assistance. The Human Rights Council and the UN Department of Human Rights are dependent on NGOs who monitor and report on situations in countries.

IGOs have consultative arrangements with NGOs in matters of their competence. The UN currently has 3,400 NGOs in consultative status – they were 700 in 1992. In 2013, there were 183 NGOs in official relations with WHO. WHO insists that the responsibility for policy and decision making rests exclusively with the Organization’s governing bodies composed of government representatives.

In the UN, consultative status is granted by the Economic and Social Council (ECOSOC) under article 71 of the UN Charter and under conditions specified in ECOSOC resolution 1996/31. The condition that their basic resources “must be derived mainly from contributions of the national affiliates or other components or from individual members” seems to exclude profit-making, business organizations. Also excluded are government-created and/or financed organizations.

NGOs may be allowed to issue written statements and make oral presentations, but they are not allowed to debate with governments in IGO’s formal bodies nor to vote on programmes or budgets. The exception is the tripartite ILO, where labour unions are represented, one of the three constituencies: governments, employers and workers.

NGOs, or groups of NGOs, participate in public-private partnerships together with IGOs, governments and business.

In 1990, 21% of the World Bank-funded projects involved NGO participation, the proportion increased to 72%
in 2006. The World Trade Organization (WTO) invites NGOs to be observers to its ministerial meetings. In the public health field, Health Action International, a network of NGOs, has campaigned since 1996 against the effects of the WTO-sponsored Agreement on Trade Related Aspects (TRIPS) limiting access to patented medicines. In 1999, Médecins Sans Frontières (MSF) launched its Campaign For Access to Essential Medicines, joined by Oxfam with its own Cut the Cost campaign, and other NGOs.

The International Campaign to Ban Landmines, a network of NGOs, was instrumental in the adoption of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and Their Destruction, the Ottawa Treaty of 17 September 1997. The [NGO] Coalition for the International Criminal Court (CI-CC) advocated for the creation of the Court and later monitored, supported and publicized its activities. Its members are not individuals but NGOs. The Coalition now includes approximately 2,500 local, regional and international NGOs.

NGOs criticized

The major charge by governments against NGOs is their lack of democratic legitimacy. They do not apply the democratic institutional process of peoples’ representation by elections. However some of their accusers themselves lack democratic credentials.

Secondly, most major NGOs have been created and are based in Western countries. In order to defuse the charge of not representing all peoples in all countries, international NGOs attempt to decentralize by setting up and supporting regional, national and local NGOs.

Faith-based organizations (FBOs)

Faith-based organizations are here defined as institutions, associations or groups formed by members of a religious affiliation or mission.

Resolution 60/262 adopted by the UN General Assembly in 2006, the “Political Declaration on HIV/AIDS” acknowledged, in part, the role of FBOs. It stated: that “we now have the means to reverse the global pandemic and to avert millions of needless deaths, and that to be effective, we must deliver an intensified, much more urgent and comprehensive response, in partnership with the United Nations system, intergovernmental organizations, people living with HIV and vulnerable groups, medical, scientific and educational institutions, non-governmental organizations, the business sector, trade unions, the media, parliamentarians, foundations, community organizations, faith-based organizations and traditional leaders”.

In October 2008, in a two-day Global Forum of Faith-based organizations convened by UNFPA (the UN Population Fund), more than 75 religious leaders and representatives of Hindu, Buddhist, Sikh, Jewish, Christian and Muslim faith-based organizations formed an interfait network to strengthen cooperation in the fields of maternal deaths, AIDS and poverty.

In a study of February 2007, WHO estimated that between 30% and 70% of the health infrastructure in Africa is currently owned by faith-based organizations, albeit with little cooperation with mainstream public health programmes. In Lesotho and Zambia, the focus of the study, it found than Christian hospitals and health centres were providing about 40% of HIV/AIDS care and treatment services in Lesotho and almost a third in Zambia.

Faith-based organizations and religious groups have also become important partners for UNICEF. In developing countries, UNICEF works closely with religious communities - ranging from those of the Buddhist and Islamic faith to several denominations within the Christian faith. Many religions have joined in the WHO-led fight against tobacco. Christianity, Judaism, Islam, Baha’I and Buddhism have a similar underlying belief for the integrity of the human body and thus the need to prevent tobacco-related diseases.

The current inclusion of faith-based organizations among NGOs, as partners to intergovernmental organizations, earlier resisted by IGOs, is now deemed useful if not essential to the success of specific international enterprises in public health and humanitarian assistance.

However, this was not always the case.

In the early years of the UN organizations, it was felt obvious that religion should not be part of their mandates or activities. The UN Charter refers to “faith in fundamental human rights”, “the dignity and worth of the human person” but not to religion or faith as such. The UN Economic and Social Council is competent on social and cultural matters, among others, but not on religious matters.

The original strict separation of religion from public international organizations, set up by states, was deemed applicable to them on the same principles as they applied to the separation of church (i.e. established religions) and state prevalent in a number of Western countries, such as the USA and France in particular, the latter being a strongly secular country.

Nathan Grills explains that “During the Enlightenment, it was thought that a philosophy of logic and reason would replace religious dogma in international politics and so provide order in world affairs”. Secularism would replace religion in public life. The Enlightenment, as a movement of intellectual change, swept throughout Europe and North America during the 18th century. It was rooted in a critique of the Catholic Church in Europe at the time. In “secular” organizations, such as WHO and other UN agencies, the recent increasing acceptance of “relig-
gious” NGOs has been viewed at best with ambivalence if not hostility by parts of their secretariats. Still, the engagement of international agencies with FBOs has been growing for objective reasons.

As also noted by Grills, one reason is the neoliberal economic philosophy of privatization, which reduced the role of states in public services, which were met by private initiatives including FBOs.

The reality of the presence and influence of religion in the majority of the world’s nations and of its impact on the welfare of their peoples has become evident. Former president of the World Bank James Wolfensohn estimated that 50% of education and health services was provided by faith groups and FBOs. The Catholic Church alone claims to provide 24% of health care alone. Unlike other religious groups, the Catholic religion is represented by the Holy See (the state of the Vatican) which is recognized by the UN as a Nonmember State Permanent Observer. The Holy See is also an Observer with numerous UN and regional organizations, including the ILO and WHO.

In the humanitarian field, religion is a powerful motivation for action. For believers, to be a Jew or a Muslim or a Christian implies a duty to respond to the needs of the poor and marginalised. The Roman Catholic Church has a wide political and cultural influence at both national and international levels on ethical issues based on religion.

The World Council of Churches has long engaged with UN organizations.

The Muslim faith is the world’s second largest religion after Christianity. According to a 2010 study, Islam has 1.62 billion adherents, making up over 23% of the world population. However, Islam has different interpretations of the Koran, not unified as one dogma by one Pope in the Roman Catholic religion.

The question of family planning and birth control was discussed in detail in a consultation in 1988 by twenty-three scholars representing many different trends of Islamic thought. The scholars concluded that it was permissible to control the timing of births with the intent of distancing the occurrences of pregnancy or to delay it for a specific amount of time, if there is some Shari‘ah need for that in the opinion of the spouses, based on mutual consultation and agreement between them. However, this is conditioned by that not leading to any harm.

Critics

The policies of the Catholic Church, as expressed in UN meetings by the Holy See, are seen as obstructive to the recognition of women’s right to reproductive health, and strongly opposed to their rights to contraception and abortion (even in extreme circumstances). The Vatican rejects the use of condoms as one of several preventive tools against the spread of HIV/AIDS.

The influence of “Catholic countries” has prevented WHO for several decades from directly entering the field of family planning, which was eventually achieved through the backdoor of the Special Programme of Research, Development and Research Training in Human Reproduction, created in 1972 – a joint UNDP/UNFPA/WHO/World Bank venture.

WHO recognized in May 2008 that “female genital mutilation violates the human rights of girls and women including their right to the enjoyment of the highest attainable standard of physical and mental health” (Resolution WHA61.16). However it noted that the practice was still widespread in some parts of the world, with an estimated 100 to 140 million girls and women having undergone the practice and at least another three million at risk.

There is disagreement on the issue under Islamic law, as some regard female circumcision to be as compulsory as male circumcision, or only desirable. It is probable that resistance to progress in this area is due mainly to traditional, cultural factors, and only in part to religious fiats.

According to Grills, multilateral organizations are engaging mainly with large professional FBOs, involved in impartial multifaith activities, but predominantly with FBOs having liberal religious ideals. Involved IGOs require FBO partners to engage on secular terms. It would indeed be desirable that intergovernmental organizations explain more clearly their “secular” basis and state what is or not negotiable in joint programmes with FBOs, in order to avoid problems or misunderstandings.

“Do-gooders”: American philanthropies

American philanthropies are part of not-for-profit NGOs dedicated to “do good” in specific areas at the US and international levels. The major ones play an important role in public health, human rights, the environment and development areas.

Their funding and programmes are at a level which far exceed those of the very few European philanthropists seemingly more interested in art than in health, human rights, development or humanitarian assistance.

For instance, while France has a large number of private associations, including influential and effective ones, such as Médecins Sans Frontières (Doctors without borders), the still prevailing view is that the state, representing the public interest, should control all activities, and that NGOs only represent private interests.

Cultural differences are here essential. The American protestant spirit of individual initiative, community work and the duty of the rich to give back some of their fortune contrasts with a Catholic tradition of mistrust of money and reliance on the state’s monopoly and largess.
The following examples of American philanthropies show their increasing role in several international social areas and particularly in public health.

The Rockefeller Foundation was founded in 1913 “to promote the well-being of mankind throughout the world”. It has established an Institute for Medical Research in the USA and carries out campaigns against malaria, yellow fever. It originally focused on hunger, overpopulation, health care, the environment and other issues. As from 1999, it concentrated on helping the world’s poor. The endowment was then estimated at $3 billion. Current efforts are to improve health systems performance and expand universal health coverage in low- and middle-income countries, and in global disease surveillance.

Rotary International helped launch the poliomyelitis eradication initiative in 1988, along with spearheading partners the World Health Organization, UNICEF, and the US Centers for Disease Control and Prevention. Since 2007, the Gates Foundation and Rotary International joined forces to provide and promote financing of the campaign. By 2013, Rotary clubs worldwide have contributed $1.2 billion to the polio eradication effort.29

Ted Turner, CNN’s founder, created the United Nations Foundation in 1998, and gave it an initial $1 billion. The Foundation has built partnerships on fighting child- hood diseases, poliomyelitis, measles, and on family planning.30

The Bill and Melinda Gates Foundation, created in January 2000, is now a major financing and operational organization in the areas of public health, including family planning: it plans to spend $10 billion on vaccines development and distribution over the next ten years. Its 2011 budget on global health – close to $2 billion – was more than WHO’s budget.31

Pros and Cons

The Gates Foundation and other philanthropic entities have provided badly needed financial resources to the fight against poverty and specific issues. In particular, they have raised the profile of public health, initiated or reinforced specific campaigns. They offer management skills and accountability to donors’ groups. The choice made by billionaires to finance international welfare, instead of art galleries, is to be commended.

However, in some areas, their own financial power may exceed what governments may be willing to pay for multilateral programmes. Donors’ priorities may be led by the visibility expected of specific single purpose (“vertical”) clinical programmes – such as polio, measles – at the detriment of population-wide, multilateral broad-based (“horizontal”) programmes aimed at reinforcing the public health structures of South countries. Donors usually insist on controlling the programmes they finance and manage under governing bodies separate from those of inter-governmental organizations. For instance, the fact that WHO budget is largely financed by voluntary contributions weakens the role of governments and that of this agency itself with its global mandate.

Will American philanthropists whose fortunes were made within the liberal economy support the extension of generic medicines at the expense of large pharmaceutical companies?

The effect of private philanthropy vs. public sector structures and programmes should be the object of independent studies.

Fighting against poverty has to rely on stable state structures and the economy, it cannot rely principally on well-meaning, willing charity.32

The business factor

On 15 December 2005, the UN General Assembly adopted the resolution «Towards Global Partnerships» (the Global Compact proposed by Kofi Annan) recognizing the importance of voluntary initiatives and partnerships, in particular those involving the private sector.

The Compact has an ambitious objective : it should allow all the peoples of the planet to take advantage of globalization and to link enterprises to values and practices in conformity with those of the UN. The Compact bases itself on the great influence of the UN on governments, the world of business and civil society, and on its knowledge and programmes on development-related issues.

The UN Global Compact asks companies to embrace, support and enact, within their sphere of influence, a set of core values in the areas of human rights, labour standards, the environment and anti-corruption.

However, the absence of legal constraints and of any control of the respect of commitments made by the multinational companies has raised skepticism and criticisms. Indeed, the UN does not control the activities of the enterprises and has not removed any company from Compact membership for violation of the principles. For NGOs, including those in the «Alliance for a Corporate-Free UN», it is dangerous for the UN to be involved with the powerful profit-making multinational companies. Corporate rules adopted by some enterprises are voluntary codes considered by some NGOs as a way for them to avoid binding international regulations.

Business groups – pharmaceutical companies, the agro-nutrition industry, big tobacco – supported by their own governments, apply heavy pressures and influence on IGOs programmes and priorities, at global (UN and UN agencies) and regional (EU) levels through their well-fi-nanced lobbies. The objectives of business firms and of their shareholders are primarily to make profit, while those of UN and regional agencies are to give public service to all their Member States in their field of work.
In the public health area, WHO and national health institutions need to cooperate with pharmaceutical companies in order to benefit from their research and production of medicines. However, there has been built-in tension between WHO’s programme of essential drugs – to provide to all peoples access to the essential medicines and health products they need; that the medicines and health products are safe, effective and of assured quality; and that medicines are prescribed and used rationally – and pressures on companies to expand product sales. WHO has identified “an inherent conflict of interest between the legitimate business goals of manufacturers and the social, medical and economic needs of [health] providers and the public to select and use drugs in the most rational way.”

While many large pharmaceutical companies are major contributors to public health public-private partnerships, and make efforts to improve access of populations in the developing world to medicines, they have also hampered the development of generic medicines. The integrity of major pharmaceutical companies has been questioned by recurrent scandals: charges of conflicts on interests between business and public controllers and politicians, corruption and cover-up, and sale of drugs with alleged damaging effects on patients.

Is the Global Compact a Trojan horse in the UN or a bold initiative profitable to all? It is perhaps too early to assess the value of Annan’s daring initiative. A positive aspect of the programme in the public health domain seems to be the number of partnerships involving UN agencies, the World Bank and regional banks, governments, NGOs, private sector enterprises, foundations, to fight against AIDS, poliomyelitis, malaria, tuberculosis. In this area, it is however necessary to ensure that the integrity of WHO programmes (or programmes of other UN agencies), and the interests of developing countries’ populations, are not compromised by commercial considerations. Hence the need to formulate agreements granting the effective direction of the programmes and the ethical and technical pre-eminence to UN agencies, with effective and regular controls.

Conclusion

For a number of years, intergovernmental organizations have faced a changing world environment, where multinationals and NGOs have developed an increasing presence, influence, and, in the case of multinationals, a significant financial weight.

The wide array of transnational industrial and business firms and NGOs complement, and in some cases, overtake the work of IGOs at regional and/or global levels in all aspects of international relations and life.

The “Report of the High-Level Panel of Eminent Persons on the Post-2015 Development Agenda”, proposes a new global partnership involving governments, but also others: people living in poverty, those with disabilities, women, civil society and indigenous and local communities, traditionally marginalized groups, multilateral institutions, local and national government, the business community, academia and private philanthropy.

However, this broad programme cannot be initiated without the leadership of governments and IGOs. Governments remain as the main effective actors in the work and programmes of IGOs. IGO leaders and their member states must retain their position as guardians and guides of public interest for all populations within their mandate. While they need to cooperate with nonstate actors, it remains their responsibility to establish priorities and retain their normative and operational autonomy on the basis of their multinational status.

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BIBLIOGRAPHY

1. In view of the long association of the author with the World Health Organization, this article makes frequent references to international public health and the World Health Organization.
2. Including the UN High Commissioner for Refugees (UNHCR), the UN Children’s Fund (UNICEF), the UN Population Fund (UNFPA), the UN World Food Programme (WFP).
3. Among them: the Food and Agriculture Organization of the United Nations (FAO), the International Labour Organizations (ILO), the World Health Organization (WHO), the UN Educational Scientific and Cultural Organization (UNESCO), and others.
4. International Monetary Fund (IMF) and the World Bank.
5. Preamble to the UN Charter.
6. The Universal Postal Union was established in 1974, the International Telecommunication Union was founded in 1865 as the International Telegraph Union, the International Labour Organization was established in 1919 under the Treaty of Versailles as an autonomous institution associated with the League of Nations. A few other small institutions preceded a few other UN agencies.
7. Art. 23 of the UN Charter: China, France, Russia, United Kingdom, United States.
8. The largest contributors to the UN budget for 2013 to 2015 are the European Union member states (39%), the USA (22%) and Japan (10.8%).
9. WHO’s financial crisis of 2011 was created by the decrease of its planned budget forced mainly by industrial countries: see Yves Beigbeder, “L’OMS en péril”, Editions de Santé, Paris 2011, Chapter 5.
11. Among them, Human Rights Watch (USA), Amnesty International and Oxfam (UK), International Federation of Human Rights (France), Médecins sans frontières (France).
13. To be eligible for consultative status, an NGO must have been in existence (officially recognized by a government) for at least two years, must have an established headquarters, a democratically-adopted constitution, authority to speak for its members, a representative structure, appropriate mechanisms of accountability and democratic and transparent decision-making processes.
15. Ibid., p. 7.
17. UN General Assembly res. 60/262 of 15 June 2006.
25. The WCC brings together churches, denominations and church fellowships in more than 110 countries and territories throughout the world, representing over 500 million Christians. The Catholic Church does not participate in the WCC.
34. Among others, the meningitis treatment of Nigerian children by Pfizer’s Trovan (settled in 2011), Merek’s Vioxx approved by the UN Food and Drug Administration (FDA) in 1999 and withdrawn in 2004, the promotion of ten unapproved drugs by GlaxoSmithKline, settled in 2012, the charges against Servier’s Media tor now submitted to trials in France. See Mikkel Borch-Jacobsen Ed. “Big Pharma. Une industrie toute-puissante qui joue avec notre santé”, Les Arènes, 2013.